

June 16, 1988

Hearing on H.R. 3822, the Intelligence Oversight Act of 1988

Statement and question submitted for the record by Hon. Chester G. Atkins

Mr. Webster, on page 9 of your prepared statement, you address the issue of access by the Foreign Affairs Committee to intelligence information relevant to the Committee's need to such access in order to carry out its oversight and legislative responsibilities. While your statement addresses the issue of the availability of intelligence information generically, you did not address the specific problem raised when intelligence agency activities directly relate to this Committee's legislative jurisdiction pursuant to the Rules of the House.

I will cite one current example of such an activity.

On Tuesday, June 14, 1988, the Committee Staff received a briefing, as requested, from your staff on the formation of a new entity within your agency called the Security Evaluation Office. The briefing also was attended by the Assistant Secretary of State for Diplomatic Security, Robert Lamb.

According to your representatives at the breifing, your Agency is in the process of establishing the "Security Evaluation Office" whose purpose would be to audit overseas embassy security programs and activities and, when necessary, set new embassy security standards. The Committee Staff was told that your Agency intends to have the SEO in operation by October 1, 1988, and that you are in the process of recruiting a substantial number of personnel from other Government Departments, including the State Department, for this purpose. The recruitment and the implementation date seemed to be a surprise to the Assistant Secretary for Diplomatic Security. The Staff was also told that you have informally requested a substantial amount of money to fund the SEO before the Intelligence and Appropriations Committees. These actions raise a number of questions:

As you know, the Committee initiated action of the so-called Inman recommendations on Embassy security at the formal request of the President less than three years ago. That legislation, which stipulated that the Secretary of State is responsible for embassy security, including the setting of standards, became the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (Public Law 99-399).

The placement of the responsibility for auditing and setting embassy security standards in the SEO would appear to contravene exsisting law. Do you, with the concurrence of the Secretary of State, plan to request an amendment to existing law which would authorize the proposed activities of the SEO? On what basis have you proceeded thus far? Has the President issued an Executive Order to establish the SEO? Did the OMB approve a budget amendment to fund the SEO?

As you know the Committee has primary legislative and oversight jurisdiction over embassy security issues. At the very least, the Subcommittee on International Operations should hear formal testimony from you and the Secretary of State before proceeding with this very ad hoc proposal which appears to be in conflict with existing law.

I would appreciate your response to my questions and concerns. Thank you.